

REMARKS

Applicants wish to thank the Examiner for the examination of the above-identified Application.

This response fully addresses the issues raised in the aforementioned Office Action. A detailed discussion of each issue is provided in the sections that follow.

Briefly, this response includes the following items:

1. Claim 1 has been amended to overcome the 35 U.S.C. § 102 rejection by adding a limitation to better distinguished the invention. Support for the amendment can be found throughout the specification, and can be best seen in Figs. 2A, 3A, and 4. No new matter has been added.
2. The rejections of claims under 35 U.S.C. § 102 have been argued.

Claim Rejections Under 35 U.S.C. § 102

The Examiner rejected claims 1-10 under 35 U.S.C. § 102(b) as being anticipated by Suekane (GB 2278993A). With respect to the independent claim 1, the Examiner lists all the claim limitations referring to the Suekane reference. With respect to the dependent claims 2-10, the Examiner refers to the respective figures in the specification.

Applicants respectfully traverse these rejections and request reconsideration and withdrawal.

Applicants amended the independent claim 1, as shown in the attachments, to overcome the above rejections.

Claim 1, as amended, of the present invention is directed to an absorbent article comprising a reinforcement nonwoven joined to an inner-facing surface (70B) of the backsheet (27) (as shown best in Figure 2A) and to at least one of either the rear ear

panels or the front ear panels, the reinforcement nonwoven not substantially overlapping the containment assembly. (Emphasis added.) This reinforcement non-woven provides additional strength for the front or rear panels of the present invention.

Section 2131 of the MPEP states: "TO ANTICIPATE A CLAIM, THE REFERENCE MUST TEACH EVERY ELEMENT OF THE CLAIM" (emphasis in original).

The Suekane reference does not teach every element of claim 1, as amended. For example, the Suekane reference does not teach the amended element d) of claim 1, as amended:

- (d) a reinforcement nonwoven joined to an inner-facing surface of the backsheet and to at least one of either the rear ear panels or the front ear panels, the reinforcement nonwoven not substantially overlapping the containment assembly.

Rather, the Suekane reference teaches away, by specifically teaching to join a covering sheet 20 to an outer-facing surface of the backsheet 3 (as opposed to the inner-facing surface (70B) of the backsheet (27) of the present invention). The Suekane reference specifically teaches to join the covering sheet 20 to the outer-facing surface of the backsheet 3 "in order to prevent the polyethylene sheet (backsheet 3) from sticking to the horn 41, the polypropylene covering sheet 20 is interposed between the polyethylene sheet (backsheet 3) and the horn 41," on the outer-facing surface of the backsheet 3 and not on the inner-facing surface as disclosed in the present invention (See column 3, lines 30-37 and Figs. 3, 4, 5A, 5B, 6A and 6B.)

Accordingly, the Suekane reference does not anticipate claim 1, as amended.

With respect to the dependent claims 2-10, depending from claim 1. Because claim 1, as amended, is not anticipated by the Suekane reference, the dependent claims 2-10, also are not anticipated by the Suelane reference.

CONCLUSION

In light of the above amendments and remarks, applicant respectfully request that the Examiner reconsider and withdraw rejections and allow the pending claims 1-10. Issuance of a Notice of Allowance at an early date is respectfully requested.

Respectfully submitted,

FOR: KOUICHI MIYAMOTO, ET AL.

By: Michael S. Kolodesh
Michael S. Kolodesh
Agent for Applicant
Registration No. 44,846
(513) 626-3426

25 January 2002

Customer No. 27752

AMENDED CLAIM MARKED UP TO SHOW CHANGES
SUBMITTED IN ACCORDANCE WITH 37 CFR 1.121(c)(1)(ii)
IN RESPONSE TO OFFICE ACTION OF 10/24/01

1. An absorbent article having a longitudinal center line and a lateral centerline, comprising;
 - (b) a containment assembly having a rear waist region, a crotch region, a front waist region, a pair of longitudinal edges, a body facing surface and a garment facing surface opposite to the body facing surface, the containment assembly comprising a topsheet, a backsheet joined to the topsheet, an absorbent core positioned between the topsheet and the backsheet, and a pair of barrier leg cuffs having a proximal edge and a distal edge and being positioned adjacent to the longitudinal edges of the containment assembly;
 - (b) a pair of rear ear panels extending laterally outwardly from the proximal edges of the barrier leg cuff in the rear waist region;
 - (c) a pair of front ear panels extending laterally outwardly from the proximal edges of the barrier leg cuff in the front waist region; and
 - (d) a reinforcement nonwoven joined to an inner-facing surface of the backsheet and to at least one of either the rear ear panels or the front ear panels, the reinforcement nonwoven not substantially overlapping the containment assembly.